

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANDREA K. TANTAROS, an individual;

Plaintiff,

vs.

FOX NEWS NETWORK, LLC, ROGER AILES, WILLIAM SHINE, IRENA BRIGANTI, PETER A. SNYDER, DISRUPTOR, INC., AND JOHN DOES 1-50.

Defendants.

DOCKET NO.

1:17-cv-02958

**AMENDED
COMPLAINT**

JURY DEMAND

Plaintiffs Andrea K. Tantaros (“**Tantaros**”), *pro se*, as and for her Complaint against Defendants herein, state and allege as follows:

INTRODUCTION

1. Rupert Murdoch and his media properties – most notoriously – Fox News Channel (Fox News) have a well-documented, very public and pervasive practice pattern of illegal surreptitious surveillance, hacking, intimidation, harassment and intentionally seeking to inflict emotional pain, fear, and embarrassment on their perceived enemies, and destroy the reputations of anyone who seeks to stand up to any one of the Murdoch machines or any of its media entities, or companies both here in the United States and abroad.
2. Fox News is the worst offender of them all. Despite their multiple public claims to the contrary, the network has been caught using private investigators to spy and dig up dirt on women who have accused the network of harassment, including in this lawsuit. Not even four weeks after deliberately misleading the Court in its response, insisting that Fox News had never conducted surveillance of any kind against the Plaintiff, former NYPD detective Bo Dietl (Dietl) admitted to the *New York Times* that he was hired by Fox News

to “spy on” Ms. Tantaros and “dig up dirt” on her and other accusers. Fox News has also denied ever wiping Ms. Tantaros’ work blackberry, or surreptitiously accessing information on her personal laptop, including her personal email. After an intensive and lengthy forensic analysis by Cycura, one of the world’s foremost cybersecurity firms – with clientele that includes the United States Department of Defense, the United States Department of Homeland Security and multiple NATO aligned intelligence services around the world – Fox News has been caught misleading the Court, and the court of public opinion, as both computer forensics completed on both devices showed that Fox News did, in fact, wipe her blackberry remotely and used an outdated version of the Blackberry operating system that allowed the Administrator to turn on the microphone and camera at any given time without disclosing it to the user, and, that malware had been placed on her personal laptop giving them access to her personal information, communications and email account.

3. Fox News operates more like a rogue political campaign and cutthroat cult rife with rampant harassment, misogyny, and bullying than it does a news organization. For two decades it has operated above the law, spending millions to fund and maintain its widely feared, and well-documented surveillance measures (the epicenter of the action being its notorious, now well-documented Black Room and vaunted media relations department which work in complete coordination). Fox News is a company that isn’t afraid to spy, hack, bully or weaponize any tool or method at its disposal. Most specifically and covertly using the complex world of Internet and cutting-edge cyber technology as a form of retaliation and punishment against anyone who seeks to challenge the Fox News regime, be it against journalists, political foes and most despicably, women who have bravely come forward to expose the horror of their Fox News experience. Over the past

year and a half the public has read and heard account after account by dozens of women detailing rampant sexual harassment, retaliation and a workplace that has now been exposed with widespread sexual and emotional harassment, secret settlements to silence women who speak up, and millions of corporate funds to support a well-financed surveillance state where employees lived in fear of retribution.” In 2016, several employees told CNN “they feared they were being monitored.” They were correct.

4. **Most notably, just months ago in late November of 2017, the Parent company of Fox News, 21st Century Fox, settled a lawsuit for \$90 million** brought by its largest shareholder, The City of Monroe Employees’ Retirement System, and additional plaintiffs including The Counsel of Seattle Employees’ Retirement System, and others (“the shareholders”) for *“the systemic, decades-long culture of sexual harassment, racial discrimination, and retaliation that lead to a hostile work environment at Fox News. That hostile work environment was created and facilitated by senior executives at Fox News. The Board and senior executives of the Company did not take, while moving to enhance governance in 2012 as part of a settlement with the same lead counsel that has appeared in this case, did not take steps to address workplace issues such as sexual harassment and discrimination at the same time...this toxic environment should not have been invisible to the company. Ailes was hired by Rupert Murdoch (R. Murdoch) the Chairman and now CEO of Fox News after claims of abusive behavior at his prior employer. The company shelled out millions of dollars to ‘Friends of Roger,’ who worked to protect Ailes (even ahead of the Company), including against Ailes victims.”*
5. Specifically, the complaint cites **“Ailes surveillance and “The Black Room” as an entire section of its complaint.** “Ailes used Fox News’ IT department to monitor

employee emails. When Fox News director of IT, Deborah Sadusingh, was asked by reporters about email searches done at Ailes direction, she reportedly had done so many email searches that she could not remember all the email searches [she had] done. “**Even more, “executives spoke of how Ailes ‘instructed Fox’s head of engineering, Warren Vanderveer, to install a CCTV system that allowed Ailes to monitor Fox offices [emphasis added] studios, greenrooms, the back entrance and his home.”**

6. Fox offices are where most Fox female talent, including Ms. Tantaros, disrobed daily from their regular day-to-day clothing into their on-air attire, sometimes multiple times a day depending on how many appearances they had. There was also a bi-annual trunk show in the Spring and Fall conducted by Fox’s wardrobe department. The trunk show was held in empty Fox offices and female talent was expected to disrobe down to their undergarments to try on new on-air dresses for the next season, without even the benefit of a curtain. The dresses were pre-selected for the women by the wardrobe department before their arrival; pants were not an option. Upon information and belief, Ailes was recording female employees disrobe without their consent in their offices and during the bi-annual trunk show.
7. Numerous outlets recently reported Fox News employees refused to speak openly about misconduct or “that our office communications may be monitored/and or recorded out of fear,” according to the shareholders complaint. This same sentiment was recognized by Paul Weiss in connection with its internal investigation of sexual harassment at Fox News, forcing the law firm to move its interviews of female employees to the firm’s offices “out of fear the offices were bugged.”
8. The shareholder complaint continues, “*Ailes established a formal department dedicated to surveillance known as “The Black Room.” The Black Room was an operation Ailes*

established around 2011 to conduct public relations campaigns and surveillance campaigns against people he targeted, both in and outside the company [EMPHASIS ADDED]. Ms. Tantaros was a target of these campaigns during her time at Fox News and after her employment, the nature of which lies at the heart of this complaint. Upon information and belief she is still a target of these campaigns, as she lodged formal harassment, retaliation and hostile workplace complaints as early as 2015 – *over a year before Gretchen Carlson* - and through her business and entertainment attorney, Joseph Cane, Jr. – Fox News offered her a seven-figure settlement in June of 2016 in exchange for her eternal silence “*...from now until forever*” – (a direct quote from the document), and that she renounce her claims against Defendants Ailes, Bill Shine (Shine) and former General Counsel Dianne Brandi (Brandi), and other Fox employees. She refused. That action is currently in confidential arbitration.

9. Fox News is currently under federal investigation by the United States Justice Department into how multiple sexual harassment settlements were made to certain female employees over many years. **The federal probe has also expanded to include, not only the structure of the payments, but whether intimidation tactics like the ones at the crux of this complaint, were used against Fox News employees.** In addition, the United States Postal Service is conducting its own investigation (relating to mail and wire fraud), as well as the FBI and the New York State Human Rights Investigative Division, according to public reports.

10. In the past decade, Murdoch properties have paid a heavy price for their crimes and an even heavier one for their attempted cover-ups. As recently as 2012, Rupert Murdoch and his employees faced criminal charges of phone hacking at the now shuddered *News of the World* and that during the investigation, the company had destroyed 20 million

emails. It cost the Murdochs millions, resulted in convictions, and killed their attempt to purchase the remainder of SKY News. (The Murdochs' highly coveted, \$12 billion second bid to take full control of SKY News was thwarted on January 23, 2018 after a careful review by UK regulators and a series of setbacks due to the Fox News scandals, which Ofcom, the UK's communications regulating body called deeply "troubling.")

11. Having not learned their lesson, the hacking scandals continue today. As recently as last Thursday, January 18th, 2018, The Murdoch-owned UK-based newspaper *The Sun* settled a hacking lawsuit at the very last minute, just as a six-week trial was due to hear allegations of coverup by senior executives and their attorneys at the media mogul's British tabloids. In September of 2017, the Murdoch- owned News Group settled 17 new cases of phone hacking which included the hiring of private investigators and illegally obtaining personal information weeks before it was set to go to trial in the UK. Just a week prior, News Group apologized in Court and agreed to pay damages to a former Army intelligence officer whose computer and emails were hacked.

12. This kind of highly illegal behavior isn't limited to the United Kingdom, Fox News or any time period, despite claims and attempts to portray an image that the Murdochs have cleaned up the culture or that as R. Murdoch delusionally declared in December of 2016 "were isolated to one man (Ailes)". Over the years, the Murdochs have paid an astounding \$900 million to settle hacking cases in the United States due to the criminal activities of their company News America Marketing – as scandal, as NPR put it, "hiding in plain sight- rife with allegations of computer hacking, fraud, questions of political interference and payouts." Ironically, the investigative piece revealing this jaw-dropping account was published just hours before this complaint was originally filed in April of 2016.

13. What Fox News then-referred and responded to as a “paranoid fantasy” when accused of this type of criminal conduct, is now very much a grave and far-reaching reality. As time has passed and women have become more empowered and their abusers exposed, the tactics, tools and behavior described in this complaint mirror exactly the ones used by powerful men, such as serial sexual predator Harvey Weinstein. In point of fact, Weinstein followed Ailes’ playbook almost to the letter, specifically when it came to silencing and scaring his victims through private investigators to track and stalk actresses and compile information that could be leaked against them for the purposes of humiliation, the planting of negative stories on his accusers to discredit them and ruin their careers, and hiring firms to employ the utilization of sock puppet or fake social media avatars to negatively influence the public’s perception of his accusers – all to inflict emotional pain and suffering, and silence any woman seeking to come forward, Just like Fox News and the Defendants, despite a preponderance of evidence, interviews, investigations and first-hand testimony, Weinstein, through a spokesperson claimed to *The New Yorker* in an article entitled, “Harvey Weinstein’s Army of Spies,” that “It is a fiction to suggest that any individuals were targeted or suppressed at any time.”

14. It’s the actions of sexual predators like Ailes and his enablers that make the charges in this complaint far from fantasy or paranoia. It’s a criminal reality that Fox News, and its long-term contractors, who have served as digital hit men like Pete Snyder and others, are desperately trying to hide at all costs. This explains why the Defendants’ have resorted to their standard modus operandi of incessant intimidation and hysteria by imposing, threatening and attempting to frighten every lawyer who seeks to illuminate the truth of the illegal behavior which has occurred at Fox News at the direction of Roger Ailes, and

by the hands of their most senior management, employees and contractors against Ms. Tantaros (and many others) for almost two decades by seeking the highly atypical, draconian legal tactic of seeking Rule 11 sanctions. The Defendants have also refused to sign affidavits stating they have never conducted the behavior they are accused of...their lack of signing such a statement stands out and shows their silence is deafening. It also explains why the Defendants are desperately are seeking to shroud the criminal actions that took place during, *and mostly after*, Ms. Tantaros' employment agreement with Fox News (and are still ongoing today) in the secrecy of arbitration. But criminal acts of this nature that occurred post-employment do not afford the Defendants the benefits of hiding behind their forced, iron-clad arbitration agreements for current employees of the network. Today this behavior is ongoing as Defendants continue to torture and attempt to surveil Ms. Tantaros. It has forced her into hiding and prompted her to stay off social media to avoid the harassment of hundreds of thousands of sock puppet accounts controlled by Fox News or its third-party contractors. **The guilty parties must finally be held publicly responsible.**

JURISDICTION AND VENUE

15. This court has subject matter jurisdiction over this case pursuant to 18 U.S.C. §§ 2520 and 2707, as well as pendant jurisdiction over Plaintiff's claim for intentional infliction of emotional distress.
16. Venue lies in this District pursuant to 28 U.S.C § 139(b)(2) or (b)(3).

PARTIES

17. Tantaros, a New York resident, is a former anchor, host and political analyst for Fox

News Channel and columnist for the country's fifth largest newspaper, *The New York Daily News*. Her work has been published in multiple periodicals, magazines and newspapers, including, *The New York Post*, *The Daily Caller*, *Glamour Magazine*, *The New York Observer* and *The Week*. Additionally, she is an author and public speaker, and prior to her work at Fox News, she was a frequent guest on MSNBC and CNN. She is also a former public affairs executive for several Fortune 500 companies, specializing in crisis communications. Early in her career, Tantaros worked on numerous political campaigns, including as Communications Director for former Massachusetts Governor William Weld, Deputy Press Secretary for Senator Patrick Toomey, Communications Director for former Representative and NRCC Chairman Thomas Reynolds, and on Capitol Hill as Press Secretary for House Leadership. She holds two degrees, in both Journalism and French, holds a graduate degree from her studies in Paris, France and speaks four (4) languages fluently.

18. Defendant Fox is a limited liability company organized under the state of Delaware organized under the State of Delaware. Its principal place of business is in New York County, New York. On information and belief, the sole member of Fox News is Twenty-First Century Fox, Inc., a corporation organized under the laws of the State of Delaware with principal offices located in New York County, New York.
19. Defendant Ailes was a resident of the State of New York before his passing in May of 2017. His wife, Elizabeth Ailes is the Administrator of his Estate. (There is a current motion pending submitted by Plaintiff to substitute the Estate of Roger Ailes in place of Defendant Ailes). From the commencement of Tantaros' employment by Fox News until he resigned his employment on or about July 27, 2016, Ailes served as Chairman and CEO of Fox News.

20. Defendant Shine is a citizen of the State of New York. From August of 2016 to June of 2016 Shine was co-president of Fox News until he was fired in June of 2017. Shine was Fox News' Senior Executive Vice President, serving as Ailes' primary enforcer and enabler, particularly with respect to retaliation against women who complained about sexual harassment.
21. On information and belief, Defendant Irena Briganti is a citizen of the State of New York. Commencing in 2013 through today, Briganti has been employed as the head of Public Relations for Fox News and acted as a media hit-woman for Fox News by leaking and placing slanderous, vindictive and damaging stories in the media about Fox talent, specifically women who accused Ailes or any other male employee at Fox News of harassment.
22. Defendant Peter A. Snyder (Snyder) is a citizen of the Commonwealth of Virginia. For many years he used his company as, New Media Strategies, to run negative social media influence campaigns against Fox News' perceived enemies and create and control websites designed to sexualize, smear or discredit Fox News talent for the purposes of promotion and or retaliation. As of 2012, Snyder was performing the same work for Fox News through his new company, Disruptor Capital, Inc. Upon information and belief, Snyder and his company are still under current contract with the network conducting the same campaigns.
23. Defendant Disruptor, Inc. ("Disruptor") is a corporation organized under the laws of the Commonwealth of Virginia. Its principal offices are in Alexandria, Virginia.

24. John Does 1-50 are individuals or companies which participated in the criminal social media campaign against Ms. Tantaros but whose identity can be established only through the discovery process. Upon information and belief, Fox News employs several social media influence companies and contractors.

SUBSTANTIVE ALLEGATIONS COMMON TO ALL CLAIMS FOR RELIEF

25. In this complaint, Plaintiff first details the shockingly disturbing details of the illicit campaign against her, and then explains why Defendants' conduct is completely consistent with the manner in which Fox News had assaulted perceived enemies, and now women who have come forward in light of the seemingly never-ending harassment scandals, for many years.

I. Surreptitious Surveillance

26. On August 6, 2015 Fox News asked select employees, including Ms. Tantaros to bring in their personal laptops to participate in a Facebook and Twitter Live Tweet Session during the presidential debate. Ms. Tantaros had never brought her personal laptop to Fox News before and only used the laptop at her apartment in New York City. To format the laptops for the Live Tweet Session, Tantaros was asked to turn over her laptop to the IT and digital team to ensure that it was 'formatted properly' and ready to go for this event. For roughly over one hour the device was out of her sight and control. The significance of this date is that just two days prior, Ailes had flagrantly and publicly sexually harassed Tantaros on August 4, 2015 when she was walking to a taping of the program Hannity with another Fox News Contributor. Ailes, in conversation with another Fox anchor, looked Tantaros up and down and smirked, "We need to get you a tighter dress." Tantaros, stunned and humiliated, proceeded to inform Ailes that "The dress was given to

me by the wardrobe department so if you have a problem with it, you should take it up with them.” It was a provocative response that Tantaros knew would draw the ire of Ailes, who she had already complained was retaliating against her for rebuffing his advances. The two witnesses to this event are not yet public knowledge and cannot be disclosed given the strict confidentiality guidelines of Tantaros’ arbitration with Fox News.

27. During her tenure at the channel, Fox News talent was expected to have their work blackberries regularly handled by Felipe Tognarelli, (Tognarelli), whose real name is Felipe Verduba, who boasts on his LinkedIn page that he has completed several hacking courses over the past years. Blackberries were often given to Tognarelli for hours, even days at a time for ‘service’ and or maintenance.

28. Shortly after that time period, Ms. Tantaros would receive notices from gmail that someone had logged into her account. These notices were being emailed to her during the hour between 12 noon ET and 1pm ET, sometimes two and three times during the course of the hour. The significance is that this was the time that Ms. Tantaros was live, hosting her program, Outnumbered, and could not reasonably have time to change her password to prohibit whomever had accessed her account without her consent. This was extremely stressful and distracting and deliberately done to throw Tantaros off her game in front of millions of viewers. This was a very volatile time for Ms. Tantaros at the network as she was lodging formal complaints about harassment, retaliation and a highly sexualized culture of indecency, inappropriate male behavior and sexism, behind the scenes at the channel.

29. Upon an extensive investigation, Cycura found that malware had been placed on Ms. Tantaros’ laptop, likely giving whomever placed it the ability to access her

communications, documents, and personal email, including gmail.

30. The report reads, “During our assessment of the laptop of Ms. Andrea Tantaros, Cycura observed the following technical and procedural irregularities, which, in our opinion, as forensic and security experts are alarming and warrant further investigation:

- (1) “During forensic analysis, Malicious software was found in the downloads directory and according to the run activity history, had been executed on the system. This suggests the capability of remote access or monitoring of Ms. Tantaros’ communications.
- (2) “Multiple wireless network connections to differing access points were seen in the logs on Ms. Tantaros’ laptop, indicating a potential attack against the machine using compromised or rogue access Wifi access points. Other than the Fox News Debate Tweet exclusion, Ms. Tantaros’ laptop was utilized at her residence in a “desktop” capacity, which eliminates public Wifi hotspots as items on this list.
- (3) “If any agent at Fox News had access to her computer for system updates, or any other reason at any time, between September 28, 2015 and April 25, 2016, then they would have known her password universally.”

31. Upon Ms. Tantaros’ suspension for making formal complaints of harassment, retaliation and hostile workplace in 2015 through April of 2016, and while she was still a current employee of the network, Fox News attempted to wipe Ms. Tantaros’ work blackberry. As she realized her emails were being deleted she immediately placed her device in a faraday bag. A faraday bag shields one’s personal electronics and information and acts as an enclosure to block electromagnetic fields to prevent hacking or any type of data mining or deletion. Counsel for Defendants have repeatedly denied to the Court and Counsel for Tantaros that they have ever wiped the device of an employee. This is

completely false and has been easily disproven.

32. Following an extensive investigation by Cycura, the forensic analysis showed that Fox had, in fact lied; they had wiped Ms. Tantaros' blackberry remotely – something they would absolutely have the ability to do as Administrator of the network and the device.
33. The analysis also concluded that Fox was using an outdated operating version of the Blackberry that enabled them to turn on the microphone and camera of the device at will without the knowledge or consent of the person who had the Blackberry in his or her possession. See Exhibit 1 (attached); Exhibit 3 (to be filed under separate cover).
34. While it was common knowledge among employees that there were cameras throughout the interior of the Fox News building it wasn't until the shareholder's complaint revealed that "executives spoke of how Ailes 'instructed Fox's head of engineering, Warren Vanderveer, to install a CCTV system that allowed Ailes to monitor *Fox offices* [emphasis added] studios, greenrooms, the back entrance and his home.'"
35. Fox offices are where most Fox female talent, including Ms. Tantaros, disrobed daily from their regular clothing into their on-air attire, sometimes multiple times a day depending on how many appearances they had. During the period of four to six months in 2015, Tantaros was having her office repainted and was installing new carpet, forcing her to use another empty office temporarily. Upon information and belief Ailes was surreptitiously recording, both through audio and with hidden cameras, Tantaros (and others) in her/their offices.
36. There was also a bi-annual trunk show in the Spring and Fall conducted by Fox's wardrobe department. The trunk show was held in empty Fox offices and female talent was expected to disrobe down to their undergarments to try on new on-air dresses for the next season, without even the benefit of a curtain. The dresses were pre-selected for the

women by the wardrobe department before their arrival; pants were not an option. Upon information and belief, Ailes was recording female employees disrobe without their consent in their offices and during the bi-annual trunk show.

II. Physical Surveillance

37. Numerous journalists and former employees have reported that during time periods in which they were perceived enemies of Ailes, they were under physical surveillance. The late *New York Times* reporter David Carr disclosed to a reporter at the Village Voice that while he was working on a profile of Ailes he would often see black SUVs parked outside of the Times' building. Afraid that if he disclosed this information to his editors they would kill the piece, Carr kept the information to himself. Former *NY Magazine* writer, Gabriel Sherman, a known enemy of Ailes has documented that he believed he was being physically surveilled by Ailes while working on his unauthorized biography, *The Loudest Voice in the Room*. Former editor of a newspaper owned by Ailes wife, Joseph Lindsley said that after he had a falling out with Ailes and his wife, he was being stalked and followed by private investigators in Putnam County, NY where both he and the Aileses resided. He even recognized the face of one of the men and identified him as a member of Ailes' personal security detail.

38. During summer of 2015 through today, Ms. Tantaros has cited similar SUVs driving by and parked outside her residence in New York City and at her vacation home. One on occasion during the Summer of 2016 while out for a run, Tantaros easily recognized the driver of one of the SUVs as one of Ailes' personal security detail.

39. After filing this original complaint in April of 2017, Fox News vehemently refuted that they had conducted any kind of surveillance on Ms. Tantaros.

40. Less than a month later, and after publicly denying he had not conducted any

surveillance, stalking or private investigative work for Fox since he was hired by Fox News' outside Counsel, Barry Asen and Ronald Green of Epstein, Becker and Green, Black Room consultant, Fox News contributor and ex-NYPD officer turned private investigator, Bo Dietl, admitted that he was hired by Fox News to conduct surveillance operations and "spy" on Ms. Tantaros and Gretchen Carlson using a twelve man team to "dig up dirt" on Ailes accusers. **Fox News and Counsel for Defendants deliberately mislead the Court.** Upon information and belief, Fox News is still employing private investigators to surveil Ms. Tantaros.

III. The Black Room and Fox News' History of Dark Arts

41. Ailes established a formal operation within Fox News dedicated to surveillance, intimidation and smear campaigns known as The Black Room. As Vanity Fair wrote: "The Black Room was where political operatives and private detectives surveyed Ailes designated targets." And to reiterate from the shareholder complaint, "**The Black Room was an operation Ailes established around 2011 to conduct public relations campaigns and surveillance campaigns against people he targeted, both in and outside the company.**" [EMPHASIS ADDED]. For example, "Ailes had allegedly threatened to send a camera crew to monitor the children of Kurt Anderson, now a Vanity Fair contributing editor, who was then writing a story about Rush Limbaugh [Limbaugh was counted among Ailes' best friends and closest allies]. Former Senator Al Franken claimed that Fox News published his personal address and that their attorneys frequently referred to him as a "parasite," "shrill," and "unstable" – favorite buzz words Fox News uses to taint its enemies and sadly, victims of sexual harassment who have chosen to come forward.

42. In a sexual harassment lawsuit filed against Bill O'Reilly, (O'Reilly) the former host

terminated for sexually harassing women was quoted as allegedly saying, “If you cross Fox News Channel, it’s not just me, it’s Roger Ailes who will go after you...Ailes operates behind the scenes, strategizes and makes things happen and then one day, bam! The person gets what’s coming to them but never sees it coming.”

43. Ms. Tantaros was a target of these campaigns during her time at Fox News and is still a target of these Black Room operations. Upon information and belief, Fox News published Ms. Tantaros’ address publicly, and after requesting that the network remove it, Tantaros received a series of threatening letters to her apartment in New York City and her beach house. After the address was allegedly removed it appeared back online; the nasty, highly personal letters directed at Tantaros increased upon her departure from the channel. One letter, typed, read “Your career is over! Nobody liked you at Fox...” themes that were reiterated in planted news stories about Tantaros and in comments on her social media pages from thousands of sock puppet accounts...comments that would be atypical for the average Fox viewer to post, having no knowledge of innerworkings of the channel and perceptions about talent.

44. The Black Room was located on the 14th floor of the Newscorp Building at 1211 Avenue of the Americas. Now terminated ex-Fox employees Ken LaCorte (LaCorte) and Jim Pinkerton (Pinkerton) – veteran political operatives who had worked with Ailes since the 1980’s – also worked with ex-employee, Bert Solivan, one of Ailes’ consultants in the Black Room. According to an investigative report in Salon Magazine (Salon) by Matthew Sheffield, and corroborated by the shareholders report and later admitted by Fox News, “Pinkerton authored an anonymous blog called The Cable Game that attacked Ailes’ selected targets.” Ms. Tantaros was subject to unflattering pieces in the Cable Game and after her employment with Fox News making this action not subject to Fox News’

arbitration clause, the Fox-controlled blog tweeted via it's Twitter account @The Cable Game, that the April 2016 post entitled "Where in the World in Andrea Tantaros?" was its most downloaded post on the website in 2016. The post contained numerous slanderous, anonymous quotes and fictional explanations as to why Ms. Tantaros had been suspended following her final formal sexual harassment complaint to Human Resources, including that she had been taken off the channel (*with pay*) for "messing with The Wrong Person" (a reference to Ailes). When Tantaros' prior counsel filed this lawsuit in April of 2016, oddly, the Fox manufactured and controlled website the Cable Game became password protected.

45. Another Black Room associate was Bruce Backman (Backman). Ms. Tantaros was introduced to Backman by a former friend, Christopher Coffey (Coffey), who worked in Fox News' "Brain Room", a department allegedly devoted to research for talent, producers, management and staff, housed in a windowless room in the basement of Fox News' headquarters offices at 1211 Avenue of the Americas. After initially meeting Backman, Ms. Tantaros inquired what his role was at the network. Coffey informed her that Backman worked directly for Ailes and that he was involved in "research" and "special projects" and to "keep an eye on people", including Defendant Briganti. Coffey then explained that I was never to mention that I had met Backman "or of his existence or role within Fox News to anyone." Ms. Tantaros saw Backman roughly three times in the hallways or in the elevators for typically less than a minute after that during her 10 years at Fox News.

46. Ailes' personal attorney, Fox News contributor Peter Johnson, Jr., was also a consultant to the Black Room. This was also reported by *Vanity Fair*.

47. The shareholders also cite that "the Company produced records that Fox News made

multi-million dollar payments annual to finance the Black Room”...As such, the Board either knew or should have known that Ailes sought to undermine the Company’s reporting mechanisms and put in place surveillance measures designed to intimidate Fox News employees into not reporting any misconduct by Ailes or his loyalists and enablers.”

48. In an interview with Danielle Bacher of *Esquire* magazine in September of 2016, Irena Briganti admitted off the record that the Black Room existed and that it conducted these types of surveillance and intimidation campaigns. Ms. Bacher disclosed and confirmed this widely-known, and well documented information to Ms. Tantaros. However, the significance is that Ms. Briganti, herself an active participant in Black Room operations, was the first senior executive to admit it to a journalist, at a time when the network was attempting to create the impression that it had purged many of Ailes loyalists, in an obvious exercise in blame-shifting to save herself and her job.

49. The Black Room consisted of operatives who masqueraded in other roles at the channel. Pinkerton was titled a “Fox News Contributor.” By giving Black Room operatives Fox News on-air, highly coveted paid “contributorships” Ailes could funnel money to his Black Room operatives under the guise that they were doing on-air commentary for the network or writing for FoxNews.com. Pinkerton would often email talent requesting they assist in these campaigns, without disclosing there was a campaign against a certain target. On one occasion in 2010, Pinkerton emailed Ms. Tantaros telling her that Ailes wife, Elizabeth Ailes (Mrs. Ailes), was the subject of bullying by the media. He encouraged her to use her social media platforms to defend Mrs. Ailes. Mr. Pinkerton’s contract was allegedly terminated once Ailes left the company amid sexual harassment allegations. Upon information and belief, he still authors The Cable Game and is being

compensated by Mrs. Ailes to pen Ailes' memoir.

50. LaCorte masqueraded as head of FoxNews.com and was based out of Los Angeles. In May of 2016, LaCorte, continuing to conduct smear and intimidation campaigns against former Fox employees and women who had accused the network of harassment, retaliation and a toxic and hostile workplace, attempted to publish a column on the blog Mediaite. The draft of the column, submitted after Tantaros' employment with the channel, included defamatory statements about Ms. Tantaros with no evidentiary support, including but not limited to, baseless, absurd allegations such as network executives were "having problems" with Tantaros and that she had a physical altercation with a guest, Nomiki Konst, in the Fox News building. When Ms. Tantaros' prior counsel reached out to Colby Hall, editor of Mediate, for proof of the unsubstantiated claims, and presented written evidence that former Fox outside Counsel, Barry Asen and then-General Counsel (now suspended) Dianne Brandi, had corroborated in writing that Ms. Tantaros had never engaged in a physical altercation of any kind with **anyone** during her tenure at Fox News, Mediate removed the deliberately defamatory and blatantly false paragraphs about Ms. Tantaros, specifically designed to cause reputational harm to her well-established career and spotless record of performance at Fox News. When she was suspended, her show *Outnumbered* was the fastest growing show in Fox News' history, year-to-year upon her arrival and received glowing reviews from her supervisors. Tantaros also never had any physical altercation with anyone, as confirmed by Fox attorneys in writing. This was a fake story being shopped by Briganti and a Fox News female host at the behest of management and of Konst, desperate for a contributorship with Fox News and increased visibility, to curry favor with network brass to tarnish Tantaros when it had become apparent Tantaros was not going to silently settle her harassment claims, and thus became

a threat to the network by speaking out against the culture. (Last year, Fox News gave the same excuse for firing John Huddy, a well-regarded Middle East Correspondent, the same day his sister, Juliet Huddy, an accuser of Bill O'Reilly, appeared on television to discuss her claims against Fox News. Within hours of Huddy's appearance, Fox fired her brother for cause claiming he had engaged in a physical altercation with a camera man, a claim he flatly denies.)

IV. Fox's Panoply of Fake Websites, Sock Puppetry and Digital Hit Men

51. The Black Room also relied heavily on outside contractors including Pete Snyder (Snyder) and his former company New Media Strategies (NMS) and his current company, Disruptor Capital (Disruptor). The company claims to be an “angel investment firm” but it conducts the same type of smear campaigns using millions of fake social media accounts to defame, discredit, gaslight (gaslighting is defined as the manipulation of someone by psychological means into questioning their own sanity) and influence the public perception of an individual. In Ms. Tantaros’ case, she was and still is the target of these intimidation campaigns. Despite his claims, Snyder is employed by Fox News as “Fox News Contributor” and gets paid an outrageous yearly salary of roughly \$183,000 per year for roughly 10-12 on air appearances lasting roughly 6 minutes. This rate is unheard of for unknown individuals like Snyder who rarely appear on the channel and have such low name recognition. On-air contributorships typically range from \$50k per year. Only former presidential candidates with significant notoriety and popularity among the Fox viewers get paid in the high six-figures, such as former contributors Newt Gingrich or Sarah Palin, or former presidential advisors such as Karl Rove. Snyder is hardly among that class. His counsel deliberately mislead the Court in his response by stating that when he sold his company New Media Strategies he ceased work for Fox

News and left NMS. Snyder's company was purchased by Meredith corporation and Snyder stepped down as CEO of NMS in 2011. Shortly after in 2012, he created Disruptor, where he continued and continued his work for Fox News. Upon information and belief Snyder's company, Disruptor, has an active contract with Fox News.

52. Snyder met Tantaros in 2003 when both Tantaros and Snyder's wife, Burson Taylor Snyder, were Press Secretaries in House Leadership. It was widely known among Washington, DC beltway political insiders that Snyder's then-company NMS engaged in social media influence campaigns using hundreds of thousands of fake social media profiles. For example, these campaigns serve many purposes: they can be used to promote a film or a movie, or they can be used to persuade or dissuade viewers or consumers from purchasing a product, or, in his work for Fox News, these campaigns can use hundreds of thousands of manufactured or purchased social media accounts to smear, sexualize, discredit or defame a perceived enemy or target of the network. With one order, Snyder can enlist thousands of contracted individuals, bots (meaning accounts that are not operated by human beings but purport to be real people online, which are set up to electronically to post content at whomever is in control of the account's direction, or accounts that real people like Daniel Wayne Block create, but allow companies such as NMS, now Disruptor, or Fox News allow access to monetize their accounts. The access allows the third-party control of what is posted on the account and the person behind it is often unaware of what is being posted. In many cases, these individuals have multiple accounts and get paid pennies per tweet.

53. Twitter has no traditional revenue stream, it doesn't sell advertising (it attempted to at one time but immediately lost followers). It then stumbled across a new way to monetize its platform by selling millions of accounts the company deems inactive or abandoned to

the highest bidder: most often to companies for the purpose of social media campaigns.

During the 2016 election many of these fake accounts were used to stir up controversy around a certain candidate or issue, as widely reported. Companies like Disruptor Capital purchase these accounts for this exact purpose.

54. In Fall of 2005, Snyder tried to hire Tantaros to head his newly created public affairs division of NMS. It was then that Snyder initially and directly disclosed the discreet nature of his work, as well as the dark side of his work. He named Fox News as a primary client. Ms. Tantaros passed on the job and instead moved to New York to work in senior roles on high-profile political campaigns as Communications Director.

55. Over the course of many years, Snyder and his wife remained close friends with Tantaros. When in New York, or when she visited Washington, DC, Snyder would disclose to Tantaros more details of his work for Fox News. Specifically, how these campaigns were executed. “Ailes calls [Bill] Shine with a target. Shine then calls me to “make some noise” and “stir up thousands of social media accounts against the target.”

56. In 2013, Snyder went on hiatus as a Fox News Contributor to run for Lieutenant Governor of Virginia. He tried to enlist Tantaros’ to help campaign for him. During a meeting with Shine, Shine encouraged Tantaros to assist Snyder. Shine also confirmed what Tantaros had known for years: that Snyder was a close friend of the network and conducted numerous operations for the channel using his companies against perceived enemies. Citing that stumping for a political candidate would be in direct violation of her Fox News contract, Tantaros declined despite saying he’d give her “a pass”.

57. After the time that Snyder claims he had no involvement in activities at Fox News, he sent Ms. Tantaros a series of emails confirming he was still, as he told her numerous times, actively involved with Fox News and in direct contact with Defendant Bill Shine,

former co-President of Fox News for the purpose of these manipulative campaigns, deliberately designed to inflict torture or reputational harm on an Ailes enemy. One email dated March 3, 2014 – reveals how close the relationship was between Snyder and Shine. It reads: “Cristina said you had a minor operation on Friday. I’m just going to go out on a limb and guess it was a circumcision.”

58. Another email dated March 6, 2014 – a time when Snyder claims he had no involvement with Fox News, he sends an article entitled, “The next Ailes: Newsmax’s Chris Ruddy Preps TV rival.” Snyder asks Shine, “Got a sec?” Following this email there was a huge uptick in negative tweets on social media platforms, such as Twitter and Facebook, about Newsmax CEO Ruddy. Upon information and belief, these social media accounts were operated by Snyder.

59. Another email dated March 16, 2014 – again, long after Snyder claims to have any involvement with Fox News, he writes Shine, “advocating an aggressive course of action: “It’s time to wake the bear, recognize and crush the competition...(no more sugar coating or being timid”). Snyder then forwards the email to Ms. Tantaros, writing, “Shine asked me to send him and (sic) email that he might (I’ll let you know if he does it) send to RA.” (Roger Ailes). See Exhibit 2 (attached).

60. In Spring of 2014 Snyder disclosed to Tantaros that Fox News, specifically Ailes was concerned about Newsmax’s growth and that it was a threat to the network. Snyder encouraged Tantaros to use her stature at the channel and influence Ailes to invest Fox monies in a relatively unknown website that Snyder believed would grow and could be a good strategic alliance and reap dividends for Fox News, plus it would allow Fox News to have influence over the content that the website published. The website was Independent Journal Review (IJR). Snyder is now a majority shareholder in IJR. Kyle

Becker, the former Editor-in-chief of IJR acted as a consultant to the Fox News Black Room. IJR has published several unflattering pieces about Ms. Tantaros since her departure from the channel.

61. During a visit to the Snyders' Nantucket home in 2014, Snyder disclosed he still maintained the same type of relationship with Fox News, acting as their contracted cyber hit man. His then wife Burson was pregnant, and after dinner excused herself as she was tired and wanted to go to sleep. As soon as she departed Snyder began drinking with two of his friends (who were also guests at their home) and proceeded to hit on Ms. Tantaros. Ms. Tantaros rebuffed Snyder and immediately took a cab back to the Snyder residence. She phoned her sister and a Fox colleague to inform them of what had occurred. The next day, uncomfortable and looking to escape, Tantaros booked an earlier flight home and pretended she had to return to New York for work, telling the Snyders she was being summoned to be on call in case the network decided to do a live episode of The Five on Labor Day, as ISIS had taken control of one of our U.S. embassies. As she was packing her belongings, Snyder approached her to apologize. Ms. Tantaros quickly accepted the apology but proceeded to depart early. This ended their friendship but still wanting to be on good terms with his wife, she sent Burson baby clothes upon the birth of their daughter. The only contact Ms. Tantaros had with Mr. Snyder thereafter was when he was booked on her show, Outnumbered. Her producer, Megan Brown, told Tantaros that Snyder was begging Fox management to be on the program. He only appeared once on the show as producers and hosts agreed his performance was terrible, he was visibly uncomfortable sitting on set with Tantaros, and he was not high-profile enough to garner ratings on a show that was outperforming expectations, growing consecutively month to month, despite being a "Friend of Roger".

62. In Spring and Summer of 2015, when Tantaros began making formal complaints to Fox management, including Shine, now-suspended General Counsel Dianne Brandi and current head of Programming Suzanne Scott about harassment, retaliation and an intolerable, toxic workplace steeped in pervasive perversion, she noticed an enormous uptick in highly sexual or grossly offensive posts (sometimes in the thousands at one time, all using the same verbiage; sometimes the exact same words) on her three social media accounts: Twitter, Facebook and Instagram. Upon further inspection, the accounts making the comments were either a) accounts that had only a few followers, but were following predominantly Fox News talent only, b) accounts that had minimal followers but a highly abnormal number of “likes” for one human being and a picture that was blurred or pixelated so it became unidentifiable, or c) accounts that tweeted private information only someone who had surreptitiously accessed her communications would have. (Example: the Daniel Wayne Block account that referenced a move Tantaros was considering to Colorado, information that she only communicated about with two people.) Contrary to what Fox has claimed the tweets that appeared in the Block Twitter timeline were NOT tweeted prior to Ms. Tantaros referencing them in her personal communications, calls and emails, including a tweet about the Black Scorpion Movie after Tantaros communicated with a friend who had suffered a Scorpion bite). The type of information that was being disseminated through these thousands of sock puppet accounts was mostly spewing hatred, sexualized and highly personal comments, but some accounts, like the Block account were tweeting information that only someone with access to Ms. Tantaros’ communications would have.

63. In April of 2017, Salon Magazine published an investigative piece confirming what many other outlets had reported and what Ms. Tantaros knew Fox was waging... However, this

time the trail of “sock puppet” or fake social media accounts lead directly to Snyder and included even more lurid, horrific revelations about the work Snyder conducted by creating websites for Fox News at the behest of Ailes to sexualize and exploit female talent at the channel, an aspect that was unbeknownst to Tantaros.

The Headline Read: Roger Ailes’ fake news empire: Former Fox News head presided over a panoply of phony “sock puppet” blogs. Former Fox CEO paid for many deceptive sites, including leering blogs promoting female Fox personalities.

“Under its former head, the network employed a team of “Black Room” operators who allegedly obtained phone records of reporters disliked by Ailes. According to news reports, private investigators working for the company were dispatched to follow journalists, apparently to find out who they were meeting. According to sources, sometimes Fox News corporate funds were used for such endeavors; other times Ailes paid for them himself. That ultra-aggressive approach to promotion during the Ailes era also extended to the online world, where Fox News employees and contractors were dispatched to do battle against not just mainstream media reporters, but also against small time bloggers and even website commentators. Fox News even went so far as to create at least two anonymous websites that attacked the competition. This strategy of online fakery – a practice known as creating “sock puppet” accounts in Internet parlance – was an outgrowth of the corporate culture when he established the channel at the behest of Rupert Murdoch in 1996...Under Ailes Fox News did not limit its promotion efforts to the realm of media criticism. The network also retained the services

of a now defunct public relations firm called New Media Strategies to create and operate a series of homespun-looking websites designed to market women who worked as hosts or correspondents in a manner that can only be described as overtly sexist. Creating and operating the websites was part of a larger series of marketing services that New Media Strategies provided Fox News. Bill Shine, the network's [former] co-president and a former right-hand man to Ailes was the primary point of contact on the New Media Strategies Account...The blog site Girls of Fox News consisted of frequently misspelled reactions to suggestive screenshots and videos of Fox News Channel employees crossing their legs or appearing to make kissing gestures...

64. The explosive reporting on Fox's tactics done by Snyder didn't stop there. It went on to name specific targets of the site including former Fox anchors Megyn Kelly and Alisyn Camerota. One blog entry on Kelly stated, "Whew – hot, single, and just waiting around her New York City apartment for someone to take her out. Gentlemen, start your engines." Another entry called Camerota "a bimbo."

65. Both Kelly and Camerota have accused Ailes of sexual harassment. (Megyn Kelly has publicly stated that 'Roger [Ailes] maintained complete control at FNC – over the talent, the management, everyone. Not only did these women fear for their jobs, they feared being attacked by his PR and legal teams.' As recently as October of 2017, Kelly publicly used her new platform at NBC to call out Defendant Irena Briganti, Fox News' current PR Chief for her "vindictiveness" and as someone who continues to plant negative stories on Kelly. Camerota has accused Ailes of "sexually and emotionally" harassing her. "That feeling of running afoul of him, that was really the chilling effect."

66. Salon continues that blog entries were filed under the categories ““single,” “party in my pants” and “Girls Gone Wild.” Many other [Fox News] women were praised in even more disrespectful terms, including Courtney Friel. “Who wouldn’t want to cop a Friel?”…during its operation Girls of Fox News featured scores of similarly degrading remarks about female employees of Fox News, along with frequent appeals to watch the latest launch or re-launch of various network programs.”

67. Though Snyder maintains he wasn’t aware of the site, he also told Tantaros’ former Counsel upon learning she was planning to sue him for his actions, that he didn’t know Ms. Tantaros well and that she never stayed in their summer house in Nantucket. Ms. Tantaros then produced pictures of her visit with the Snyders, her airplane ticket and reminded Snyder’s Counsel that Ms. Tantaros learned about the death of her younger, handicapped brother while in the Snyders’ kitchen during the 2013 visit. Since then, Snyder has drastically changed his tune and, like Fox News, has been caught presenting an ever-shifting series of tall-tales and lies.

68. For years, seasoned and respected reporters have documented the treatment by Fox News, it’s biting public relations machine and the activities of Fox’s Black Room, specifically online to harm their reputations and cause as much personal pain and distress as possible.

69. As explained by David Folkenflik in his book, *Murdoch’s World*, in 2008, one former staffer told Folkenflik that they had personally used “one hundred” fake accounts to plant Fox-friendly commentary: “On the blogs the fight was particularly fierce. Fox PR staffers were expected to counter not just negative and even neutral blog postings but the anti-Fox comments beneath them. One former staffer recalled using twenty different aliases to post pro-Fox rants. Another had one hundred. Several employees had to acquire a cell phone thumb drive to provide a wireless broadband connection that could not be traced

back to Fox News or a News corp account...old laptops were distributed for these cyber operations.”

70. Similar headlines were echoed in pieces in Mother Jones in 2013, “Fox News Unleashes Horde of Sock Puppets on Unsuspecting Blogosphere.”

71. In his book Folkenflik also revealed other twisted tactics utilized by Fox News. “A *New York Times* media reporter, Timothy Arango, was working on a story about CNN’s positive ratings. When he called Briganti for a comment, she asked him to run what Arango deemed to be a “vitriolic” statement about CNN. When Arango refused, Briganti warned him: *They’re going to go after you personally.* On March 5, 2008, Arango’s story, headlined “Back in the Game,” ran on the front page of the Times business section, and it was featured prominently on the paper’s website. That morning, he received a call from a blogger with Jossip, a now-defunct gossip site. Arango knew what lay in store but did not return the call.

The unbylined story on Jossip said Arango had just returned from a two-month medical leave that “many allege may have been a stint in rehab.” The Jossip posting utilized every element of Arango’s past coverage at the Post and Fortune magazine to draw a portrait of a craven reporter in unsuccessful pursuit of on-air reporting jobs at cable channels. It referred to “blowjob pieces about CNBC execs” written, the blog claimed, when Arango was hustling for a job at the network.”

72. Upon information and belief Jossip is a now defunct website that purported to be a site devoted to gossip in journalism was manufactured by Fox News, much like The Cable Game.

73. Former Wall Street Journal reporter Julia Anguin was “held out for ridicule over and over in items on various blogs penned by Fox News staff,” reported the *New York Times* Carr

in 2008.

74. David Carr recounted another disturbing story in that same column: “A little more than a week ago, Jacques Steinberg, a reporter at The New York Times who covers television, wrote a straight-up-the-middle ratings story about cable news. His article acknowledged that while CNN was using a dynamic election to push Fox News from behind, Fox was still No. 1. Despite repeated calls, the public relations people at Fox News did not return his requests for comment. (In a neat trick, while they were ignoring his calls, they e-mailed his boss asking why they had not heard from him.) After the article ran, Brian Kilmeade and Steve Doocy of ‘Fox and Friends,’ the reliable water carriers on the morning show on the cable network, did a segment suggesting that Mr. Steinberg’s editor was a disgruntled former employee — Steven V. Reddicliffe once edited TV Guide, which was until recently owned by the News Corporation — and that Mr. Steinberg was his trained attack dog. (The audience was undoubtedly wondering what the heck they were talking about.)

The accompanying photographs were heavily altered, although the audience was probably none the wiser. Mr. Reddicliffe looked like the wicked witch after a hard night of drinking, but it was the photo of Mr. Steinberg that stopped traffic when it appeared on the Web at Media Matters side by side with his actual photo. In a technique familiar to students of vintage German propaganda, his ears were pulled out, his teeth splayed apart, his forehead lowered and his nose was widened and enlarged in a way that made him look more like Fagin than the guy I work with. (Mr. Steinberg told me that as a working reporter who covers Fox News, he was not in a position to comment. A spokeswoman said the executive in charge of “Fox and Friends” is on vacation and not available for comment but added that altering photos for humorous effect is a common practice on

cable news stations.)

69. Altering photos and shopping unflattering pictures of Fox News targets is commonplace and is still being done to this day to Ms. Tantaros. A simple Google search will pull up manipulated images of Tantaros or photos of overweight or out of shape women who are not Ms. Tantaros, nor do they look anything like Tantaros, but the photos are deliberately tagged with her name. Upon information and belief, these photoshopped images and pictures were posted and circulated by Fox News, but can only be exposed during a rigorous discovery process of the Murdoch media medusa, much like the genesis of the sock puppetry and fake websites.

75. In February of 2017, the *New York Times* reported that Twentieth Century Fox, a Murdoch property, was caught creating fake websites with plausible names like the Houston Leader and the Salt Lake City Guardian, to promote one of their films, *A Cure for Wellness*. According to the Times, the websites were “populated with partisan headlines involving Lady Gaga and President Trump, vaccinations and mental health.” The film studio was exposed and was forced to apologize for the strategy two days later. This is the exact type of work done by companies owned by Snyder and others at the behest of Fox News and other Murdoch properties.

76. Since her departure from the channel, not only has Ms. Tantaros had to face an onslaught of negative posts on social media by sock puppet accounts, but she has seen paid ads taken out on websites like Brietbart.com with her picture captioned, “Remember her? Click here to see what she looks like now!” Upon clicking on the picture there is nothing to follow it up. It’s simply placed to influence the Fox News audience, serve as click bait and intentionally upset Ms. Tantaros. Buying advertising on websites is another of Fox News’ tactics to influence public perception of its current and former talent.

77. Ms. Tantaros is not alone. A simple Google search of women who have come forward with sexual harassment allegations against Ailes or men at Fox News have a flurry of negative blog posts about them. When you enter their names using search engines like Google, other words come up in the search engine optimization, such as “Andrea Tantaros bikini” or “Andrea Tantaros breasts.” For example, when accomplished journalist and former Fox correspondent, Rudi Baktiar, broke her silence to *NY Magazine* about accusations she had made to Fox News Human Resources a decade ago against a senior DC male Bureau Chief in the summer of 2016 upon Ailes ouster – accusations that lead to her firing, *within hours* a piece appeared on a blog called LiveRampUp.com with a harshly negative and baseless, defamatory headline reflecting that she had never been married and hinted that she may have had an affair with a married colleague. It read: “Rudi Baktiar has devoted her life to humanity: never been married but what about an affair with Steve Overmeyer.”

78. Many of the original negative blog posts from 2015 or 2016 about Tantaros have been recently updated in 2017 with even more vitriolic or sexual verbiage.

PLAINTIFF'S FIRST CLAIM FOR RELIEF

65. Plaintiff repeats and realleges the allegations set forth above as if they were fully set forth in this Paragraph.

66. All the Defendants herein violated 18 U.S.C. § 2511 through the electronic and physical surveillance of Ms. Tantaros via private investigators and her personal communications and use of the fruits of that surveillance to emotionally torture Ms. Tantaros.

67. Pursuant to 18 U.S.C. § 2520, Plaintiff is entitled to recover the greater of compensatory damages from all Defendants as determined at trial or the statutory damages authorized by § 2520.

68. In addition, Plaintiff is entitled to recover punitive damages as determined at trial because Defendants' illegal electronic surveillance of Ms. Tantaros was wanton, willful and malicious, particularly because it was used as part of a criminal cyber-stalking scheme engaged in by Defendants in violation of 18 U.S.C. § 2261A.

69. Finally, pursuant to 18 U.S.C. § 2520(b)(3), Plaintiff is entitled to recovery of her reasonable counsel fees and all other litigation costs reasonably incurred.

PLAINTIFF'S SECOND CLAIM FOR RELIEF

70. Plaintiff repeats and realleges the allegations set forth above as if they were fully set forth in this Paragraph.

71. On information and belief, Ailes and Shine, on behalf of Fox News, violated 18 U.S.C. § 2701 by directing a person paid, directly or indirectly, by Fox News to hack Ms. Tantaros's personal computer and electronics and gain access, *inter alia*, to her private emails, texts, and communications.

72. Pursuant to 18 U.S.C. § 2707, Plaintiff is entitled to recover from Fox News, Ailes and Shine the greater of compensatory damages as determined at trial or the statutory damages authorized by § 2707.

73. In addition, Plaintiff is entitled to recover punitive damages as determined at trial because Defendants' illegal electronic surveillance of Ms. Tantaros was wanton, willful and malicious, particularly because it was used as part of a criminal cyber-stalking scheme engaged in by Defendants in violation of 18 U.S.C. § 2261A.

74. Finally, pursuant to 18 U.S.C. § 2707(b)(3), Plaintiff is entitled to recovery of her reasonable counsel fees and all other litigation costs reasonably incurred.

PLAINTIFF'S THIRD CLAIM FOR RELIEF

75. Plaintiff repeats and realleges the allegations set forth above as if they were fully set forth in this Paragraph.

76. Defendants violations of federal criminal statutes in using illegal electronic surveillance of Plaintiff as part of a vicious social media campaign which also included the use of fake Twitter accounts to communicate to Plaintiff that she was being surveilled constituted extreme and outrageous conduct.

77. Defendants engaged in that conduct with the intent to cause Plaintiff severe emotional distress.

78. Plaintiff did suffer severe emotional distress, requiring medical treatment and medication, that was directly caused by Defendants.

79. By reason thereof, Plaintiff is entitled to recover compensatory damages from all Defendants in an amount to be determined at trial.

80. In addition, Plaintiff is entitled to recover punitive damages as determined at trial because Defendants' illegal electronic surveillance of Ms. Tantaros was wanton, willful and malicious, particularly because it was used as part of a criminal cyber-stalking scheme engaged in by Defendants in violation of 18 U.S.C. § 2261A.

WHEREFORE, Plaintiff demands Judgment as follows:

A. On Plaintiff's First Claim for Relief, an award of (i) the greater of compensatory or statutory damages, (ii) punitive damages, and (iii) reasonable counsel fees and all other litigation costs reasonably incurred against all Defendants jointly and severally.

B. On Plaintiff's Second Claim for Relief, an award of (i) the greater of compensatory or statutory damages, (ii) punitive damages, and (iii) reasonable counsel fees and all other litigation costs reasonably incurred against all Defendants Fox News, Ailes and Shine jointly and severally.

C. On Plaintiff's Third Claim for Relief, an award of (i) compensatory damages, (ii) punitive damages, and (iii) the costs and disbursements of this action; and

D. An Order granting such other and further relief as deemed just and proper by this Court.

Dated: New York, New York

January 29, 2018

ANDREA TANTAROS

By 
Andrea Tantaros (*pro se*)